

REMARKS

Claims 1-30 and 32-34 are pending in the application. The Applicants' attorney has amended claims 1, 3-5, 8-10, 20-22, 24, 27, and 32-34.

The Applicants' attorney requests a telephone interview with the Examiner after the Examiner has had a chance to review this response.

In view of the following, all previously unallowed claims are in condition for allowance.

Rejection of Claims 1-30 and 32-34 Under 35 U.S.C. § 102(b) As Being Unpatentable Over U.S. Patent 5,661,760 To Patapoutian

Claim 1

Claim 1 as amended recites a coded binary sequence comprising a first group of consecutive bits having first and second separate portions and representing one of a logic 1 and a logic 0, the bits in the first portion each having a first state and the bits in the second portion each having a second state, and a second group of consecutive bits separate from the first group and each having a same state, the second group representing only the other of the logic 1 and the logic 0.

For example, referring to paragraph 25 and FIG. 5 of the patent application, a coded binary sequence includes a first code symbol (50a and 50b), which includes a first group of consecutive bits 0011 having first (00) and second (11) separate portions and representing a logic 1, the bits in the first portion each having a first state (logic 0) and the bits in the second portion each having a second state (logic 1). The coded binary sequence also includes a second code symbol (50e and 50f), which includes a second group of consecutive bits 0000 separate from the first group of consecutive bits

0011 and each having a same state (logic 0), the second group representing only a logic 0.

Patapoutian, on the other hand, fails to disclose a second group of consecutive bits separate from a first group, each having a same state, and representing only the one of a logic 1 and logic 0 not represented by the first group. Referring to, e.g., col. 3, lines 55-58, although Patapoutian codes a logic 1 as a group "--++" of consecutive bits and codes a logic level 0 as a group "++--" of consecutive bits, neither of these groups ("--++" and "++--") includes bits each having the same state. In other words, to read on claim 1, at least one of Patapoutian's groups would have to include bits having the same state (e.g., "----" or "++++").

But according to the Applicants' attorney's interpretation of the Office Action, the Examiner argues that in Patapoutian's sequence "--++++--", the portion "++++" reads on the claimed second group of consecutive bits because the portion effectively represents a binary "logic level" 10; similarly, the Examiner argues that in Patapoutian's sequence "++----++", the portion "----" reads on the claimed second group of consecutive bits because the portion effectively represents a binary "logic level" 01.

The Examiner's argument fails, however, because the claimed second group of consecutive bits represents only one of a logic 1 and a logic 0, not both a logic 1 and logic 0. As discussed in the preceding paragraph, Patapoutian's portion "++++" effectively represents a binary 10, and Patapoutian's portion "----" effectively represents a binary 01. But binary 10 includes a logic 1 and a logic 0, as does binary 01. Consequently, unlike the claimed second group of consecutive bits, which represents only one of a logic 1 and a logic 0, each of Patapoutian's portions "++++" and "----" effectively represent both a logic 1 and a logic 0.

Claims 2-30 and 32-34

These claims are patentable for reasons similar to those recited above in support of the patentability of claim 1.

CONCLUSION

In view of the foregoing, all claims are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

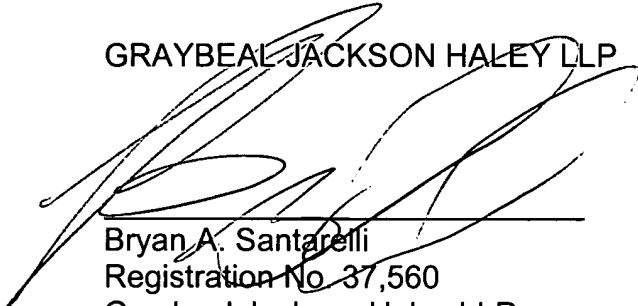
In the event additional fees are due as a result of this amendment, payment for those fees has been enclosed in the form of a check. Should further payment be required to cover such fees you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the Applicant's attorney, Bryan Santarelli, at (425) 455-5575.

Respectfully submitted,

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